

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF TEXAS

No. 6:20-cv-00494

Christopher William Lyons,
Plaintiff,

v.

**United Healthcare Community Plan
Appeals and Grievance Department,**
Defendant.

ORDER

Plaintiff Christopher William Lyons filed this action pro se alleging that defendant wrongfully denied coverage of his pain medication. Doc. 1. The case was referred to United States Magistrate Judge K. Nicole Mitchell pursuant to 28 U.S.C. § 636(b). Doc. 3.

Defendant filed a motion to dismiss. Doc. 11. On January 26, 2021, the magistrate judge issued a report recommending that the motion be granted and that the complaint be dismissed with prejudice for failure to state a claim. Doc. 14. Plaintiff filed written objections stating that he presented all documents and he would like the case to remain open. Doc. 16.

The court reviews the objected-to portions of a magistrate judge's report and recommendation de novo. *See* Fed. R. Civ. P. 72(b)(3); 28 U.S.C. § 636(b)(1). The magistrate judge recommended granting dismissal because plaintiff's pleadings failed to identify a cause of action or allege facts showing a legal basis for relief. Doc. 14 at 4-6. His objection to the report similarly does not identify a cause of action or show that his pleadings allege facts showing a legal basis for relief. Doc. 16.

Having reviewed the magistrate judge's report de novo, and being satisfied that it contains no error, the court

overrules plaintiff's objection and **accepts** its findings and recommendation. The court **grants** the motion to dismiss (Doc. 11) and **dismisses** this action with prejudice.

So ordered by the court on March 2, 2021.

A handwritten signature in black ink, appearing to read "J. Campbell Barker", is written over a horizontal line.

J. CAMPBELL BARKER
United States District Judge